

REMARKS

Claims 1-9 and 33-35 are pending in the present Application. Claim 8 stands withdrawn. Claim 7 is canceled with this Amendment.

Claims 1 and 33 have been amended to recite that the one or more monomers are ethylenically or acetylenically unsaturated and that the cross-linking agent is ethylenically unsaturated. Support for this is found in the Specification at page 4, lines 19-21 and at page 10, lines 27-28, respectively. The term “multi-ethylenically” unsaturated cross-linking agents is intended to refer to cross-linking agents having di-ethylenic, tri-ethylenic, tetra-ethylenic and higher levels of unsaturation. See the Specification at page 10, line 27, to page 11, line 17. The limitations of claim 7 have also been incorporated into claim 1. No new matter is added with this Amendment.

Claims 1-6 and (have been rejected under 35 USC § 102(b) as being anticipated by Cassatta et al. (US 4,533,681). Applicants respectfully traverse.

The cross-linking reactions of Cassatta do not employ vinyl polymerization. See column 8, lines 57-67, which describe the various cross-linking reactions. None of the cross-linking reactions of Cassatta involve reactions between ethylenically or acetylenically unsaturated monomers and multi-ethylenically unsaturated cross-linking agents. In contrast to Cassatta, Applicants’ method requires the polymerization of one or more ethylenically or acetylenically unsaturated monomers and one or more multi-ethylenically unsaturated cross-linking agents. Such a reaction is not taught by Cassatta. The claims are further distinguished from the Cassatta patent as Cassatta et al. do not disclose Applicants’ claimed particle sizes. Accordingly, the present claims are novel over Cassatta et al. and Applicants respectfully request that this rejection be withdrawn.

Claims 7, 33 and 34 have been rejected under 35 USC § 102(b) as anticipated by or, in the alternative, under 35 USC § 103(a) as obvious over Cassatta. Applicants respectfully traverse.

The rejection of claim 7 is mooted by the present Amendment. Claim 33 requires the polymerization of one or more ethylenically or acetylenically unsaturated monomers and one or more multi-ethylenically unsaturated cross-linking agents.

Applicants' claims are not anticipated by Cassatta. As discussed above, the Cassatta patent does not use vinyl polymerization and *fails* to disclose or suggest the reaction between ethylenically or acetylenically unsaturated monomers and multi-ethylenically unsaturated cross-linking agents, which is required by the present claims. Further, nothing in Cassatta teaches or suggests that cross-linked polymer particles be prepared in one polymerization reaction. Still further, nothing in Cassatta teaches or suggests the particle sizes claimed by Applicants. Applicants submit that the Examiner has not made out a prima facie case of obviousness and respectfully request that this rejection be withdrawn.

Claims 1, 3-6 and 9 have been rejected under 35 USC § 102(e) as being anticipated by Saethre (US 6,346,592). Applicants respectfully traverse.

The present claims are not anticipated by Saethre. The only particle sizes disclosed by Saethre are 0.5 to 15 μm . In contrast, Applicants' claimed particle sizes are 0.75 to 100 nm , which size range is not disclosed or suggested anywhere in Saethre. Applicants submit that their claimed invention is not anticipated by Saethre and respectfully request that this rejection be withdrawn.

Claims 2 and 35 have been rejected under 35 USC § 103(a) as being unpatentable over Saethre. Applicants respectfully traverse.

As discussed above, Saethre fails to teach or suggest polymer particles having a particle size of 0.75 to 100 nm , as required by present claims 1 and 33, from which claims 2 and 35 depend. Applicants submit that the Examiner has not made out a prima facie of obviousness and respectfully request that this rejection be withdrawn.

Applicants courteously request favorable consideration in the form of a notice of allowance.

Respectfully submitted,

A handwritten signature in cursive script, reading "S. Matthew Cairns".

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